



PATENTS

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**Applicant(s):** Gregory Collier, et al. **Examiner:** Unassigned  
**Serial No:** 10/039,050 **Art Unit:** 1653  
**Filed:** December 31, 2001 **Docket:** 12785  
**For:** NOVEL GENES AND THEIR  
USE IN THE MODULATION OF  
OBESITY, DIABETES AND  
ENERGY IMBALANCE **Dated:** August 25, 2003

Commissioner for Patents  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are listed on the attached Form PTO-1449, be made of record in the above-identified case.

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, P. O. Box 1450, Alexandria, VA 22313-1450 on August 25, 2003.

Dated: August 25, 2003

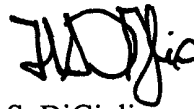
  
\_\_\_\_\_  
Frank S. DiGiglio

Applicants are submitting copies of the above-cited references.

Consideration of this Information Disclosure Statement is respectfully requested, since the art provided may be material to the examination of the present application as defined under 37 C.F.R. §1.56.

Inasmuch as this Information Disclosure Statement is being submitted in accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,

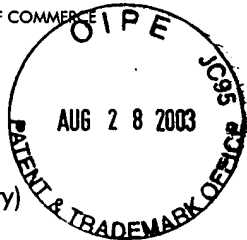
A handwritten signature in black ink, appearing to read 'F. DiGiglio'.

Frank S. DiGiglio  
Registration No. 31,346

Scully, Scott, Murphy & Presser  
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(516) 742-4343

FSD/XZ:ab

Form PTO-1449 (REV. 7-80) PATENT AND TRADEMARK OFFICE		U.S. DEPARTMENT OF COMMERCE PATENT & TRADEMARK OFFICE		Atty. Docket N . 12785		Serial No. 10/039,050	
<b>LIST OF PRIOR ART CITED BY APPLICANT</b>  (Use several sheets if necessary)				Applicant Gregory Collier, et al.			
Filing Date December 31, 2001				Group 1653			



U.S. PATENT DOCUMENTS							
EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	1	6,160,104	12/12/00	Cunningham et al.			
	2	6,160,105	12/12/00	Cunningham et al.			

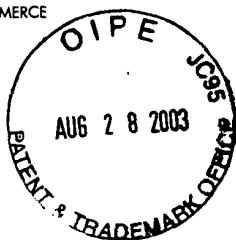
FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	3	WO 96/05861	29/02/96	Australia				

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)	
4	Lin, X., et al., (1998) "Differential Expression of Insulin Receptor Tyrosine Kinase Inhibitor (Fetun) Gene In A Model of Diet-Induced Obesity", <u>Life Sciences</u> 63(2): 145-153
5	Borthwick, E. B., et al., (1995) "Differential expression of hepatic oestrogen, phenol and dehydroepiandrosterone sulphotransferases in genetically obese diabetic ( <i>ob/ob</i> ) male and female mice", <u>Journal of Endocrinology</u> 144:31-37
6	Lundwall, A.B., et al. (1985) "Isolation and Sequence Analysis of a cDNA Clone Encoding the Fifth Complement Component", <u>The Journal of Biological Chemistry</u> 260(4): 2108-2112
7	Wetzel, R. A., et al. (1990) "Deficiency of the Murine Fifth Complement Component (C5)", <u>The Journal of Biological Chemistry</u> 265(5): 2435-2440
8	GenPept Accession Number AAF67483
9	EMBL Accession Number AF157317
10	Barnett, M., et al. (1994) "A cross-sectional and short-term longitudinal characterization of NIDDM in <i>Psammomys obesus</i> ", <u>Diabetologia</u> 37: 671-676

EXAMINER	DATE CONSIDERED
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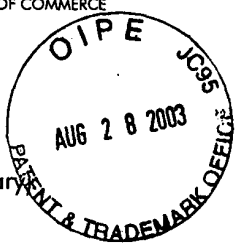
\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

(Use several sheets if necessary)



**Group**  
**1653**

\* **EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Form PTO-1449 (REV. 7-80) PATENT AND TRADEMARK OFFICE  <b>LIST OF PRIOR ART CITED BY APPLICANT</b>  (Use several sheets if necessary)				<b>Atty. Docket No.</b> 12785		<b>Serial N.</b> 10/039,050	
<b>Applicant</b> Gregory Collier, et al.				<b>Filing Date</b> December 31, 2001		<b>Group</b> 1653	

U.S. PATENT DOCUMENTS							
EXAMINER INITIAL*	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)	

FOREIGN PATENT DOCUMENTS							
DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION		
					YES	NO	

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)				
18	Harris, M. I. (1998) "Diabetes in America: Epidemiology and Scope of the Problem", <u>Diabetes Care</u> 21 (Suppl 3): C11-C14			
19	Jonsson, B. (1998) "The Economic Impact of Diabetes", <u>Diabetes Care</u> 21 (Suppl 3): C7-C10			
20	Kalderon, B., et al. (1986) "Characterization of Stages in Development of Obesity-Diabetes Syndrome in Sand Rat ( <i>Psammomys obesus</i> )", <u>Diabetes</u> 35: 717-724			
21	Martikainen, P.T., et al. (1999) "Socioeconomic differences in weight gain and determinants and consequences of coronary risk factors <sup>1-3</sup> ", <u>Am J Clin Nutr</u> 69: 719-726			
22	Shafrir, E., et al. (1993) " <i>Psammomys Obesus</i> Of The Jerusalem Colony: A Model For Nutritionally Induced, Non-Insulin-Dependent Diabetes", <u>J Basic Clin Physiol Pharm</u> 4: 83-99			
23	Story, M., et al. (1999) "The epidemic of obesity in American Indian communities and the need for childhood obesity-prevention programs <sup>1-3</sup> ", <u>Am J Clin Nutr</u> 69: 747S-754S			
24	Walder, K., et al. (1997) "The Effect of Dietary Energy Restriction on Body Weight Gain and the Development of Noninsulin-Dependent Diabetes Mellitus (NIDDM) in <i>Psammomys obesus</i> ", <u>Obesity Res</u> 5: 193-200			
25	Zhang, Y., et al. (1994) " Positional cloning of the mouse obese gene and its human homologue", <u>Nature</u> 372: 425-432			
<table style="width: 100%; border: none;"> <tr> <td style="width: 40%; border: none;"><b>EXAMINER</b></td> <td style="border: none;"><b>DATE CONSIDERED</b></td> </tr> </table>			<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
<b>EXAMINER</b>	<b>DATE CONSIDERED</b>			

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
12785

In Re Application: **Gregory Collier, et al.**

Serial No.

10/039,050

Filing Date

December 31, 2001

Examiner

Unassigned

Group Art Unit

1653

**NOVEL GENES AND THEIR USE IN THE MODULATION OF OBESITY, DIABETES AND  
ENERGY IMBALANCE**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **19-1013/SSMP**  
as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☐ Credit any overpayment.
- ☒ Charge any additional fee required.

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**Certificate of Mailing by First Class Mail**

I certify that this document and fee is being deposited  
on August 25, 2003 with the U.S. Postal Service  
as first class mail under 37 C.F.R. 1.8 and is  
addressed to the Commissioner for Patents, P.O. Box  
1450, Alexandria, VA 22313-1450.

\_\_\_\_\_  
Signature

Frank S. DiGiglio

\_\_\_\_\_  
Typed or Printed Name

\*This certificate may only be used if paying by  
deposit account.

\_\_\_\_\_  
Signature

Dated: August 25, 2003

Frank S. DiGiglio  
Registration No. 31,346  
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400 Garden City Plaza  
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(516) 742-4343

cc: FSD:ab

1647 1653

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT (Under 37 CFR 1.97(b) or 1.97(c))			Docket No. 12785
In Re Application Of: Gregory Collier, et al.			
Serial No. 10/039,050	Filing Date December 31, 2001	Examiner Unassigned	Group Art Unit 1653
Title: NOVEL GENES AND THEIR USE IN THE MODULATION OF OBESITY, DIABETES AND ENERGY IMBALANCE			
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450			
37 CFR 1.97(b)			
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.			
37 CFR 1.97(c)			
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:			
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);			
OR			
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).			